

**THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

WRIT PETITION No.21754 of 2007

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Dated: 11-10-2007

Between:

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Mr.Hamed Hussain Khan.

...Petitioner

and

The Government of A.P.,
Housing Municipal Admn &
Urban Development (K1) Dept.
rep. by its Secretary & others.

...Respondents

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AND
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Order: (Per The Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

This Writ Petition is filed challenging the order

dated 09-07-2007 passed by the third respondent-Deputy Commissioner, Circle No.5, Greater Hyderabad Municipal Corporation, declining to accept the petitioner's representation dated 29-05-2007 to assess open plot in Survey No.106, Hill Portion, Khairatabad, for the purpose of collection of property tax. The third respondent-Deputy Commissioner was of the view that the petitioner has not established his right on the ownership of the open plot in Survey No.106. Thereafter, the petitioner filed another application dated 19-07-2007 for reconsideration which was also rejected by the third respondent-Deputy Commissioner on 20-08-2007. The petitioner refers to some earlier suits and appeal between him and some others to suggest that he has already proved his title in the civil suits.

We have gone through the decrees and judgments in the said suits and appeal.

The title of the petitioner is not established even in those suits and appeal. This Court, in these proceedings under Article 226 of the Constitution of India, will not be able to come to a conclusion as to whether the petitioner has title over the property in question or not.

Therefore, this Writ Petition is misconceived and is, accordingly, dismissed. However, the petitioner is at liberty to seek appropriate remedy to establish his title, if he is so advised. No costs.

J)

Dated 11th October, 2007

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(Bilal Nazki,

(Ramesh Ranganathan, J)